

HEALTH & HUMAN SERVICES COMMITTEE
of the
Suffolk County Legislature

Minutes

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on **June 17, 2004**, at 9:30 A.M.

Members Present:

Legislator Paul Tonna • Chairman
Legislator Lynne Nowick • Vice•Chair
Legislator Daniel Losquadro
Legislator Brian Foley
Legislator Ricardo Montano
Legislator Jay Schneiderman
Legislator Vivian Vilorio•Fisher
Legislator Elie Mystal

Also in Attendance:

Mea Knapp • Counsel to the Legislature
Ron Cohen • Aide to Legislator Tonna
John Ortiz • Senior Budget Analyst/Budget Review Office
Linda Bay • Aide to Presiding Officer Caracappa
Greg Moran • Press Secretary to Presiding Officer Caracappa
Kevin LaValle • Aide to Legislator Lindsay
Nick Dispenziere • Aide to Legislator Nowick
Eric Brown • Aide to Legislator Schneiderman
Ginny Sohr • Aide to Legislator Vilorio•Fisher
Ilona Julius • Deputy Clerk/Suffolk County Legislature
Ben Zwirn • Deputy County Executive
Matt Cohen • County Executive's Office/Intergovernmental Relations
Adam Santiago • County Executive's Office/Intergovernmental Relations
Dr. Brian Harper • Commissioner/Department of Health Services

Joah Sapphire • Deputy Commissioner/Department of Health Services.
Walter Hilbert • Wastewater Management/Department of Health Services
Walter Dawydiak • Environmental Quality/Department of Health Services
Dr. Steve Goodbred • Stony Brook University
Janet DeMarzo • Commissioner/Department of Social Services
Ed Hernandez • Deputy Commissioner/Department of Social Services
Linda O'Donohoe • Assistant to the Commissioner/Dept of Social Services
Kim Staab • Commissioner's Office/Department of Social Services
David Mohr • Finance Division/Department of Social Services
Patricia Clark • Finance Division/Department of Social Services
Sally O'Hearn • The Quality Consortium of Suffolk County
Richard Koubek • Suffolk County Welfare•to•Work Commission
Patricia Fogarty • Suffolk County Coalition of Health Agencies
Will Stoner • American Cancer Society
Annmarie Torres • American Cancer Society
Roland Levasseur • Client/Department of Social Services
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(*The meeting was called to order at 9:39 A.M.*)

CHAIRMAN TONNA:

Let's all rise for the pledge led by Legislator Foley.

Salutation

Thank you. Okay. What a morning. All right, we'll go right to the agenda. We have a couple of cards, two cards, and maybe we'll start with I think the first one, Sally O'Hearn. Hi, Sally. How are you? Welcome this morning. Please sit down, make yourself at home.

Everybody got to see the fan club up front, the real Americans?

MS. O'HEARN:

Oh, yes.

CHAIRMAN TONNA:

Okay. I think most of them are Native Americans, obviously, because they can trace their paternity back that far. Anyway. Okay, Sally?

MS. O'HEARN:

I don't think so.

CHAIRMAN TONNA:

Thank you.

MS. O'HEARN:

Good morning. My name is Sally O'Hearn and I'm a Board Member for Concepts, The Place, an out•patient substance abuse treatment facility in Northport. I'm here today representing The Quality Consortium of Suffolk County. They would like me to read this statement.

I am here as a representative of The Quality Consortium of Suffolk County to state that the projected 2005 Suffolk County budget cut must be addressed. The preliminary budget required a 10% cut of Suffolk County money to funded agencies. To again remind you, this will result in the loss of matching State dollars, closing of treatment sites, staff layoffs, staff positions remaining unfilled, and of course as a result a severe reduction in treatment services.

Please understand that even though you were successful in restoring the 10% cut last year, it was actualized in November, therefore no direct services were provided with that money. Salaries cannot be paid retroactively, so even though the money was restored services were reduced; this is not frugal. During difficult fiscal times, we need to spare our limited resources and get the most services out of our limited dollars. As it stands now, our agencies continue to experience difficulty balancing our budgets as we recover from last year's budgetary errors. Even with the restoration of funds late last year, The Quality Consortium agencies are presently operating at a lower than 2002 budget level. The proposed 2005 budget, even with an additional reduction, will result in our agencies operating with even less operating funds than received in 2002, as our expenses continue to rise due to increases in inflation. Please do not allow for that to happen.

For every dollar invested in substance abuse treatment the taxpayer saves \$7.46 in criminal, social and medical costs. Quality drug and alcohol treatment and prevention services are increasingly in demand in this County, and successful services have proven to result in a reduction of cost to society. Please help us to continue to provide our services to the residents of Suffolk County. It is economically sensible to maintain adequate funding for our service delivery system. Please vote to add a 2% COLA increase to our budget for 2005. Thank you.

***(*Legislators Nowick & Vilorio •Fisher
Entered the meeting at 9:42 A.M. *)***

CHAIRMAN TONNA:

Thank you very much. Any questions? Sally, I just have a question, more of a generic question because you're dealing with the issue of mental health.

MS. O'HEARN:

Yes.

CHAIRMAN TONNA:

We've had vigorous conversations in the Legislature with regard to the prison in Suffolk County and that it's become almost a de facto mental health facility. Do you have any opinions whatsoever? I mean, being in the industry, it's always nice to have somebody to •• but the sense is since the State went to a model of more community mental health ••

MS. O'HEARN:

Right.

CHAIRMAN TONNA:

•• that actually what's happened is that we have more people incarcerated who, you know, were in these •• you know, who have mental health problems.

MS. O'HEARN:

Right.

CHAIRMAN TONNA:

And it's more expensive to the County, you know, and in effective when you're putting them in prison instead of them getting good therapy and treatment. Any thoughts?

MS. O'HEARN:

I really can't speak to that, I just deal with The Place.

CHAIRMAN TONNA:

Right.

MS. O'HEARN:

But I could certainly have Joan _Ayer_ give you a call.

CHAIRMAN TONNA:

Yeah, I would like that, if you don't mind.

MS. O'HEARN:

Not at all.

CHAIRMAN TONNA:

Just to get as many people as I can just to weigh in on this subject.

MS. O'HEARN:

Certainly, I would be happy to do that.

CHAIRMAN TONNA:

It would clarify things in my mind and I think maybe some other committee members. Okay, thank you very much.

MS. O'HEARN:

Thank you.

CHAIRMAN TONNA:

Rich? Richard Koubek from Catholic Charities representing the We Have to Work (sic) Commission; right, We Have to Work Commission?

LEG. VILORIA • FISHER:

Welfare.

CHAIRMAN TONNA:

Oh, welfare.

MR. KOUBEK:

I wish they had work, but it's Welfare•to•Work.

CHAIRMAN TONNA:

If you look, that L•F looks like •• the R looks like a V; I'm saying I've never heard of this We Have, you know? Once again, another •• well, I'm known for •• luckily I pronounced your name correctly, but I can't pronounce who you represent correctly.

MR. KOUBEK:

Well, you're actually very helpful because the purpose of the commission is for the people leaving welfare to have work.

CHAIRMAN TONNA:

Right.

MR. KOUBEK:

So we do hope that they have work some day. I represent •• I'm representing today, I'm Vice •Chair of the Welfare•to•Work Commission which is a commission of the Suffolk County Legislature that was created last year to, in effect, assist you to evaluate public policies that will help people leave welfare and become self•sustaining, and I'm here on behalf of the commission. We represented a report last week, June 8th, to the entire Legislature, it was our report gleamed from two public hearings that the commission held, one in this room on March 12th, another in Riverhead on April 19th in which we asked clients and we asked service providers and we asked people in the Departments of Social Services and Labor, including the two Commissioners, how is welfare affecting you. And based upon that testimony, the commission made a number of recommendations which have been translated into Sense Resolution 53•2004 which calls upon you to basically oppose certain cuts, reductions in welfare

benefits and in health care that Governor Pataki has proposed. So let me just take a few minutes. You've seen our report, you've seen our reasoning, I just would like to summarize why we have taken this position and why we are asking you to support Sense Resolution 54.

You will hear, as we heard, as I heard personally from the State Commissioner of Welfare, their Office of Temporary Assistance and Disability, Bob _Doore_, that there are two reasons for these cuts; one is to save money and the second is to prod clients to behave, in effect, and I'm going to suggest that neither of those is going to be accomplished by these cuts. The cuts are outlined in the resolution so I won't go through them, but basically we have two arguments in our report. One, these cuts are going to hurt very fragile people; they are aimed at people who have been on welfare for a long time, they are aimed at people who have multiple barriers to self-sufficiency. I've actually seen a document, a County document which claims, in effect, that these are people with mental illness, low levels of education, chemical dependency, they are fragile. The Commissioner is asking you in our report, and the resolution asks you, why make fragile people even more fragile?

Example; one of the most insidious cuts that's been proposed by the Governor is what's called full-family sanctioning. Right now if a client is sanctioned •• that is if a client violates a work rule or if a client misses an appointment or if a client doesn't show up for work, there are all kinds of reasons for sanctions •• that adult's benefits can be cut; the Governor is proposing that the benefits for the children of that adult be cut as well. And I've seen in a study released by the Department of Social Services that one-third of the children of already sanctioned clients have problems, they have multiple problems that ••

CHAIRMAN TONNA:

Can you just clarify? In other words, I'm assuming when you say problems, you mean problems before they were sanctioned, obviously.

MR. KOUBEK:

Yeah, they have multi needs I think is the term in the report.

CHAIRMAN TONNA:

Right. So now when they're sanctioned and children are cut off from services, I mean, we don't need a report to know that their problems are going to increase.

MR. KOUBEK:

Be exacerbated. I think the report, I don't have it in front of me, but I think the report says they have special needs which as a former educator, that sets off alarms. Children with special needs have either learning disabilities, emotional problems, and the report does say that one •third of these children I believe it says has special needs. So you're taking ••

CHAIRMAN TONNA:

One•third of the sanctioned •• I'm just trying to understand your comment.

MR. KOUBEK:

I'm sorry.

CHAIRMAN TONNA:

One•third of the full •• one•third of those who would be qualified children for this full sanction, the children who under these cuts or whatever else would fall under their rubric of full cuts are special needs.

MR. KOUBEK:

That's correct, already.

CHAIRMAN TONNA:

Okay.

MR. KOUBEK:

So this will make their situation even worse. So, we don't support hurting children, we don't support making fragile people more fragile. And I'll go to my second point which is in the long run, while you may be hearing from the Governor and others that this is going to save money, it's going to cost money.

CHAIRMAN TONNA:

Absolutely.

MR. KOUBEK:

It's going to cost money in the fact that fragile people will need more services for mental health, more services for chemical dependency, more services for their special needs and we

believe, worst of all, they will become homeless; they are hanging on by their fingernails right now and they will add to the homeless population of this County. And the Commissioner has already reported here that 56% of the entire DSS budget for family needs already goes to the homeless population; why make that worse?

So we are asking you in this Sense Resolution to tell the State, which in effect means telling the State Legislators who represent Suffolk County, vote no on these cuts.

CHAIRMAN TONNA:

Okay. I know Legislator Mystal has a question and I have an additional question. Elie?

LEG. MYSTAL:

Good morning, Mr. Koubek.

MR. KOUBEK:

Good morning.

LEG. MYSTAL:

I'm going to keep repeating this over and over. I've been around this political system for a long time and I know we are very accessible as Legislators and I would dare say without hesitation that the majority of this Legislature will support your organization and it will support the no cut from the government. But then again, I'm going to keep saying that again and again, a Sense Resolution is a feel-good resolution, it does not accomplish anything. Having been somebody who worked at the Federal level for a Congressman once upon a time, when we get them we just throw them in the garbage, nobody looks at them. You are barking at the wrong tree. You need and your group and everybody in Suffolk County who is threatened needs to get their act together and go to local Assembly people, to our State Senators, go up to Albany. You come to us, we empathize with you, we understand the problem and we will give you whatever you need if we have the money, but we are not it.

CHAIRMAN TONNA:

Elie, do you really think going to my Assemblyman •• I'll use mine, and I don't want to mention his name, but he's a Republican and a minority.

LEG. MYSTAL:

No, it's not.

CHAIRMAN TONNA:

Do you think going to him is going to do anything?

LEG. MYSTAL:

No, it's not going to do anything either.

CHAIRMAN TONNA:

In all fairness, there is nothing more dysfunctional •• I mean, we're pretty dysfunctional here, I admit.

LEG. MYSTAL:

I know.

CHAIRMAN TONNA:

But there is nothing more dysfunctional than Albany.

LEG. MYSTAL:

Than Albany, I understand that.

LEG. VILORIA • FISHER:

If I may address that, just to let you know why we did a Sense, Elie; may I?

LEG. MYSTAL:

Yeah.

LEG. VILORIA • FISHER:

Would you yield? Because ••

LEG. MYSTAL:

Let me just finish. I'm just trying to make the point that a Sense Resolution, in effect, does not do anything; I mean, it makes us feel good, I mean we look good to the public, we look good to our constituent, but it does not accomplish anything; that's the I'm going to hang on to.

LEG. VILORIA • FISHER:

Okay.

CHAIRMAN TONNA:

Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

I did have a question for Mr. Koubek, but I did want to respond to why we have this Sense Resolution. This Welfare•to•Work Commission has worked very hard and their charge was to report to us in the Legislature what their findings were and this Sense Resolution codifies and puts in our books, in our league cannon of law what they have seen as important, and so that's why the Sense Resolution is here. And we hope that we have •• we are also stating as a Legislature what our position is when our Assembly members and Senate members are working on the budget. There have been some Sense Resolutions which have had an effect on, you know, just bringing their •• drawing their attention; they're working on the budget so let's draw their attention to cuts that we know will hurt us.

CHAIRMAN TONNA:

What happened to our Legislative lobbyist, the traveling Legislator who was going to go back and forth and make sure, you know, that all of these things were going to •• anyway.

LEG. VILORIA•FISHER:

I think I'll stay with the questions I wanted to ask Mr. Koubek.

CHAIRMAN TONNA:

Yeah. Okay, I just •• Legislator Viloría•Fisher ••

MR. KOUBEK:

May I respond?

CHAIRMAN TONNA:

Sure, you can respond.

MR. KOUBEK:

Legislator Mystal, I'm going to switch hats for a second. The Welfare•to•Work seat is a

voluntary seat, but my day job, my paid job is with Catholic Charities, I coordinate public policy. We have sent 12,000 letters to the State Assemblymen and Senators, Catholic Charities letters collected after masses on Sunday asking them to oppose these cuts. So you're quite right, the pressure has to be there. We also on March 9th at the New York State Catholic Conference Advocacy day, met with the Legislators and told them not to do this, and I also met with the State Commissioner and told them not to do this. So you're quite right, but we're charged ••

CHAIRMAN TONNA:

Are they listening?

MR. KOUBEK:

I don't know if they're listening to anyone because there's no budget and •• I can't answer that, I really can't answer that, but we're talking, that's all I can say.

CHAIRMAN TONNA:

Right.

LEG. MYSTAL:

Thank you.

MR. KOUBEK:

So we have done •• and so has the Long Island Council of Churches, they've also collected letters.

CHAIRMAN TONNA:

Okay. Legislator Viloría•Fisher had a question and then I had a question.

LEG. VILORIA•FISHER:

And I believe the other groups, the other groups that are represented have also been working, you know, FECS is working and the other groups that are represented have been working hard. I'd like you to explain something, Mr. Koubek, because I think you can do it better than I before we get to a discussion of this. Letter E which is, "Opposing transferring children and families with incomes between 100% and 133% of the Federal poverty level from Medicaid to Child Health Plus"; if you could explain how that would impact us here in Suffolk County.

MR. KOUBEK:

Yes, I will. I spoke •• Catholic Charities is one of the facilitated enrollers for Child Health Plus, so I spoke to the Director of that program and asked her, Sister Susan _Smolinski_ , what would happen to these children, and this is what she told me, so I'm now speaking on behalf of the person who administers that program. She said that they will lose orthodonture, that there will be no full prescription coverage, that any bills they bring that were dated three months before their application will not be covered, and she said most troubling, there will be a lag between the time that they leave Medicaid and go to Child Health Plus. She said right now it's taking up to 90 days just to get an appointment and it's taking three to four months in Suffolk County to be enrolled in Child Health Plus. Once the facilitated enroller fills out the forms, it then goes to the Department of Social Services which I believe is understaffed and can't handle all of these applications, and so moving children from Medicaid to Child Health Plus is going to result in less coverage and actually in lags in their coverage.

LEG. VILORIA • FISHER:

If I'm calculating it correctly, we're talking about six or seven months lag.

MR. KOUBEK:

Could be.

LEG. VILORIA • FISHER:

Thank you.

CHAIRMAN TONNA:

I'd like to go back to the cost for a second.

MR. KOUBEK:

Sure.

CHAIRMAN TONNA:

You mentioned the fact that once cuts take place and in the memorializing of the Sense Resolution you talked about the full family sanctioning, there's a 10% grant reductions in the Safety Net, Suffolk County Department of Social Services; won't all of this basically then just fall right on to the County taxpayer?

MR. KOUBEK:

I think so.

CHAIRMAN TONNA:

And so it just puts more pressure on our Department of Social Services and rather than just cuts it's cost shifting, right?

MR. KOUBEK:

Yeah, and not just government. I mean, when you begin to reduce •• there are cuts in there for adults as well in health care. When you begin to reduce the ability of adults or children to receive health care, they wind up in emergency rooms ••

CHAIRMAN TONNA:

Right.

MR. KOUBEK:

•• which is the most expensive form of health care in the United States, so we don't want to go there. You start to have absenteeism by children in school, absenteeism at work, people begin losing jobs. I think the most compelling testimony that we had during the hearing was from people in the chemical dependency field who were talking about the kind of pressure. The Director of the Catholic Charities Chemical Dependency Services said, "These are our people; the people who are going to have these benefits cut are our people. They're already troubled, they're just going to get worse."

CHAIRMAN TONNA:

Right.

MR. KOUBEK:

And then that falls upon Catholic Charities, it falls upon you, it falls upon all kinds of agencies to assist them.

CHAIRMAN TONNA:

Right, and then we have over •• then we have more people in prison and, you know, it becomes ••

LEG. VILORIA • FISHER:

Bigger jails.

CHAIRMAN TONNA:

Bigger jails, you know, more capital spending.

LEG. MYSTAL:

Absolutely.

CHAIRMAN TONNA:

Yeah, more cops, that's expensive.

MR. KOUBEK:

So those are the long•term. There are short•term benefits. Welfare cuts, for example, the Governor has said will save the State \$88 million, that's out of a \$5.1 billion deficit, it's about one and a half percent

CHAIRMAN TONNA:

But it's not going to •• it might save a State budget but it's just going to fall to the County, right?

MR. KOUBEK:

And to Catholic Charities and to FECS and to all of us, yeah, absolutely.

CHAIRMAN TONNA:

Right. Okay. All right, well, thank you very much.

MR. KOUBEK:

Thank you.

CHAIRMAN TONNA:

Any other questions? It's a vicious cycle. Thank you.

MR. KOUBEK:

Thank you.

CHAIRMAN TONNA:

All right, Roland? Roland, I would blow that name, that last name in a second.

MR. LEVASSEUR:

Levasseur.

CHAIRMAN TONNA:

Okay, come on up. Levasseur; thank you, sir. Please come up.

And you're here to talk about the full family sanction.

MR. LEVASSEUR:

Yes, sir.

CHAIRMAN TONNA:

Thank you. Welcome.

MR. LEVASSEUR:

Good morning.

CHAIRMAN TONNA:

Good morning.

MR. LEVASSEUR:

When I decided to come here, I wasn't really sure how to approach the situation, but I did realize that there were a lot of misconceptions about the Department of Social Services and their, quote/unquote, policies.

My name is Roland Levasseur, I'm a 31 year old single father. I have been in the shelter system before and I want to clear up a lot of things that seem to be swept under the rug by some of Suffolk County's politicians. I'm not a drug addict or an abusive parent, I'm a loving and caring father who had run into bad times in the past and found myself homeless with nowhere to go. I did not have family or friends that could help me out at that time. I understand that it may be difficult for people to relate with my situation and I'd be more than happy to answer any questions about being homeless, life in a shelter or just struggling in

general with things in life, because struggling is struggling no matter how we lay it down.

What is a sanction? A sanction is a way for DSS to lighten their caseload and make all parties involved, with the exception of the family in need, content, as it is the last step in removing somebody from welfare. I am very much against the whole full-family sanction proposal. I myself have been sanctioned by DSS and it's an unbelievably scary thing for a person and their family to go through. I was placed in a hotel in Hampton Bays in the winter of 2000, my son was barely four at the time. As part of my contract with DSS which must be signed at the center you're requesting help at, it says you must comply with all DSS requirements or you may be sanctioned; take it from me, there is no maybe. As I sat there with 10 to 12 bags of my personal belongings, I would have signed my life over to ensure me and my son had a place to sleep that night.

Hampton Bays in the winter is like the beach during a hurricane, there is hardly anyone there; the nearest store is three to four miles away. Bear with me as I'm just giving those who don't know a glimpse into the glamorous and free life of a person in emergency housing. I was instructed to make it to an appointment at the Suffolk County Department of Labor in Hauppauge; for those that don't know, that's approximately 45 minutes to an hour away by car. By bus, which is the only source of transportation for someone who is in my predicament, it would be four hours at least; the reason for that is because you must take four or five buses to get there and there is no one bus that would take you there. The buses stop running at 5 PM, so if I wasn't out of there by at least 1pm I would be stuck. Nevertheless, my son had become sick a few days earlier •• nothing major, just a cold and a slight fever •• I was not taking my sick son at 6 AM to get to my 10:20 AM appointment in the middle of the winter. I had tried to explain that to my caseworker who replied to me that I would be sanctioned for failing to comply with DSS requirements; I was sanctioned. I was told that I may lose my emergency housing; if I lost that they would call Child Protective Services and tell them I had no housing for my child; not exactly a great feeling to have knowing how much you've struggled to provide for your child and he could be taken away from you.

All this because you didn't comply with the program that diminishes the heart and spirit of every person without a home by forcing them to pick up garbage on the highway, and those who are familiar with the Department of Labor know that that's exactly what they do. If it were not for Cheryl Keshner and the people of Nassau-Suffolk Law Services, I would not have a

voice. I would not have a right to contest the wrong doings or horrendous mistakes made by this County.

And finally, to the people who are trying to enforce this full-family sanction, while you sit there in your nice suits and your beautiful homes, remember this proposal. I cordially invite you to spend a few days at any of Suffolk County's Department of Social Services or their shelters and bear witness to the frustration, hopelessness and worry of a sanctioned family. Thank you very much.

CHAIRMAN TONNA:

Thank you, sir. Any questions? I have a few questions, if you don't mind.

MR. LEVASSEUR:

Sure.

CHAIRMAN TONNA:

Your son is now seven?

MR. LEVASSEUR:

Yes, sir.

CHAIRMAN TONNA:

So he's in the second grade, first grade?

MR. LEVASSEUR:

He's first grade, he'll be starting September.

CHAIRMAN TONNA:

How many school days does •• you know, I mean from the standpoint of having to go from place to place and having to work through the system, is he missing some school?

MR. LEVASSEUR:

Absolutely, there's been a few instances. This was actually only one instance, but there were a lot of other instances that happened as far as him missing a weeks of school because the transportation was not set up if I was changed from one shelter to another shelter. For

instance, in 2001, April 15th, I had been in the Sunrise Motel and my son was going to Lindenhurst School, that's right in the area, he was there from September to April.

CHAIRMAN TONNA:

Right.

MR. LEVASSEUR:

And they came •• there was only two months left of school and they had came and told me that the next day I had to be out by three o'clock to Medford and I asked, you know, if there was going to be transportation set up for him to get to school and they said that would be all taken care of; it never happened and he was out for two weeks and subsequently he got left back that year in kindergarten which is, you know, very upsetting.

CHAIRMAN TONNA:

It's problematic.

MR. LEVASSEUR:

Yeah. So that's, you know, one instance.

CHAIRMAN TONNA:

How about •• so he's •• by navigating through this system, not only transportation but the education of your son as a single father has been affected.

MR. LEVASSEUR:

Yes, absolutely.

CHAIRMAN TONNA:

How about with regard to •• because if I remember correctly, in the year 2000 you said he was about four years old.

MR. LEVASSEUR:

Yes.

CHAIRMAN TONNA:

How about with regard to •• was he eligible and did he participate in the Head Start Preschool

Program?

MR. LEVASSEUR:

There was no Head Start at that time that he was eligible for, but they did have something called Little Flower Day Care. But like where I was at in the motel, there were no phones or anything, it's very difficult to even get in touch with anybody over there even though those are part of your requirements, that all you have is a pay phone on the corner to use.

CHAIRMAN TONNA:

So you weren't able to access any of the free Federal programs for your preschool son.

MR. LEVASSEUR:

No.

CHAIRMAN TONNA:

Okay. What is •• and I'd just like to know, in listening to your story, how is it struggling with the education of your son when he's missing so much school, you know; I guess you're the primary person that deals with his teachers, right?

MR. LEVASSEUR.

Yeah, it's very difficult. You know, education is probably the most important thing in life so, you know, especially at a young age where they're being molded, you know, and learning so much at that age, it's very difficult; missing two days of school, you know, it can set you back.

CHAIRMAN TONNA:

Absolutely. Thank you very much, sir.

MR. LEVASSEUR:

You're welcome.

CHAIRMAN TONNA:

I found your comments extremely articulate and well said and very poignant, really spoke to •• I could •• I can't imagine what it must be like.

MR. LEVASSEUR:

Thank you.

CHAIRMAN TONNA:

Legislator Nowick?

LEG. NOWICK:

Thank you for coming and speaking to us. First let me apologize for being late, I was at a Suffolk Community College Board of Trustees meeting. I just need to ask this. By the way, I have been out there to East Hampton with Legislator Fisher, Viloría•Fisher, and I've seen and I know exactly what you're talking about. You can choose to answer this or not, but where is your son's Mom?

MR. LEVASSEUR:

She has drug problems and she had abandoned him when he was two weeks old and I've had him ever since.

LEG. NOWICK:

Okay, I just needed to know that.

MR. LEVASSEUR:

She's not in the picture or anything.

LEG. NOWICK:

Well, you're a good Dad. I hope you enjoy Father's Day.

MR. LEVASSEUR:

Thank you.

CHAIRMAN TONNA:

Yes. Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

Thank you very much for coming down. And as Mr. Koubek said, we had had two hearings and we heard stories like this and we heard from the advocates about how difficult it is for the

individuals. By the way, that was one of the reasons why I road the bus to work one day, so that I could see for myself what it was like ••

MR. LEVASSEUR:

Right.

LEG. VILORIA • FISHER:

•• to have to get to work on a bus. It was because we saw that this was one of the problems with sanctioning, that people can't get there. And having to report to Hauppauge when you're out in the Hamptons, you know, Social Services is trying to deal with that. And part of the reason why we have the commission is not just to come up with a Sense Resolution or report to the Legislature, but also to work with Social Services to try to see how we can avoid putting people in a situation where they are sanctioned the way you were sanctioned.

MR. LEVASSEUR:

Right.

LEG. VILORIA • FISHER:

And believe it or not, there are people out there who are really trying to work so that the system is more responsive to individuals. It's not all bad guys, it's really hard to be caught up in it.

MR. LEVASSEUR:

Right.

LEG. VILORIA • FISHER:

But we're really trying to get people to listen to individual stories like yours. So I thank you very much, it's really, really important that you're here. Thank you.

MR. LEVASSEUR:

All right. Thank you for letting me speak.

CHAIRMAN TONNA:

Just a question. How often do you contact or meet with your caseworker?

MR. LEVASSEUR:

Usually only when necessary, it's not an appointment, it's usually every six months when you recertify they'll ask you to, you know, keep your documents if they're still up•to•date.

CHAIRMAN TONNA:

Can you remember back to the year 2000 when your son was four years old, did anybody in the County •• was there any paper work, was there any talk about Head Start as a program, a preschool program?

MR. LEVASSEUR:

No, not that I remember.

CHAIRMAN TONNA:

Your caseworker never raised the issue that you're eligible or that your son might be eligible for, you know, Head Start, the Federal funded program?

MR. LEVASSEUR:

No, there was no mention ••

CHAIRMAN TONNA:

Nutrition and everything.

MR. LEVASSEUR:

Not to my recollection, no. But there are •• the communication between a client and the caseworker is very, very minimal, I mean, you guys really don't talk that often, it's usually if there's a major problem or if you did something wrong. They're not really there •• it's more that they're there to enforce things, not as much to help guide you.

CHAIRMAN TONNA:

Assist.

MR. LEVASSEUR:

Exactly.

CHAIRMAN TONNA:

How about with regard to •• you don't remember any paperwork at all with regard to that?

MR. LEVASSEUR:

No.

CHAIRMAN TONNA:

No, okay. The facilitation with the schools, your son is now in the Lindenhurst School District?

MR. LEVASSEUR:

No, he's in •• I'm residing in Brentwood right now.

CHAIRMAN TONNA:

He's in the Brentwood School District. So how many schools has he switched in the •• how many different school districts?

MR. LEVASSEUR:

Since from kindergarten to first grade he's been in three different schools.

CHAIRMAN TONNA:

Three different schools.

MR. LEVASSEUR:

Yes. There was also an instance when I was put into ••

CHAIRMAN TONNA:

Three different schools, three different teachers, three different trying to set up a new set of friends and support system in school; and that's only in two years, right?

MR. LEVASSEUR:

Yes, in two years •• three years actually.

CHAIRMAN TONNA:

And missing a lot of school, having to make up, having to be put back.

MR. LEVASSEUR:

Right. Well, there's something else I wanted to touch upon, that subject. When I was placed in Southampton, they wouldn't let me register him in that district, so they had bussed him every single day from Southampton to Lindenhurst which is a three hour bus ride; his bus would come at five to six in the morning for him to get to school at six o'clock (sic).

CHAIRMAN TONNA:

Who wouldn't let you register your son?

MR. LEVASSEUR:

The shelter said that you weren't allowed to do that because it's considered emergency housing and that's temporary, even though I was there for five months, and they said that, you know, you weren't allowed to register them in that Southampton ••

CHAIRMAN TONNA:

You're sure that somebody said that?

MR. LEVASSEUR:

I'm positive, I'm absolutely positive.

LEG. FOLEY:

Who's the operator?

CHAIRMAN TONNA:

Do you have a couple minutes after?

MR. LEVASSEUR:

Sure.

CHAIRMAN TONNA:

Okay, we would like to talk about that and find out a little more about that. Okay.

LEG. FOLEY:

Mr. Chairman? Just to follow up ••

CHAIRMAN TONNA:

Yes. I think that's illegal, right?

LEG. FOLEY:

Yeah. To follow on the other point when he was temporarily housed in Medford, you said two weeks there was no transportation and that caused the child to repeat a certain grade. Not to bring up any more stress than you went through at that period of time, but as we all know around the horseshoe here and those in the audience, that when one is •• when one receives these services, the child has and the parent has the option to go to what's called the district of origin and that there should not have been a discontinuance of transportation for your child at that time.

MR. LEVASSEUR:

Right.

LEG. FOLEY:

That there should have been •• and the protocol is for the department to work with whoever the shelter provider is to make sure that there is a seamless services provided so that if you had to move from one shelter to another that, in fact, the bus service, transportation service for your child would be immediately available and that's part of the protocol when a department contracts with shelter providers.

MR. LEVASSEUR:

Right. No ••

CHAIRMAN TONNA:

That's not being done.

MR. LEVASSEUR:

Unfortunately that wasn't the case.

LEG. FOLEY:

So, you know •• and why also the case worker wasn't on top of this to take make sure that

those things were in place. So there's a whole host of issues that you've raised here and I also want to just thank you for attending so close to Father's Day. Certainly you have had a great many challenges and your testimony today will help us try to develop a more effective means of providing these services.

CHAIRMAN TONNA:

Are you working now, sir.

MR. LEVASSEUR:

No, right now I'm not working.

CHAIRMAN TONNA:

Okay. And you're in the Brentwood area now?

MR. LEVASSEUR:

Yes, sir.

CHAIRMAN TONNA:

And you're looking for employment?

MR. LEVASSEUR:

Yes.

CHAIRMAN TONNA:

Okay. You could be a public speaker, I can tell you that right now.

MR. LEVASSEUR:

Thank you.

CHAIRMAN TONNA:

All right, we'll definitely talk to you afterwards, if you don't mind, if you'll just wait a little while.

MR. LEVASSEUR:

Absolutely.

CHAIRMAN TONNA:

Thank you, sir.

MR. LEVASSEUR:

Thank you.

CHAIRMAN TONNA:

All right, thank you very much.

Okay, any other cards? Any other speakers or anything else? No, okay. I'm going to ask the Commissioner of Social Services to come up here.

LEG. VILORIA • FISHER:

She's hiding.

CHAIRMAN TONNA:

Thanks, Janet. I think they're probably •• I know there are some questions on other issues, but the •• I think it's unfair to hold the Commissioner accountable, you know, to respond immediately to something like this. But I would ask, and I think we're not doing it and I think it's a good thing to do and, you know, I'm tempted to do it by legislation if it's being done; are we tracking school days missed with our children who are in temporary housing, are we tracking that process right now, DSS?

COMMISSIONER DEMARZO:

What we need to •• well, first I'll put on the record that there is a Federal lawsuit against the County which we're involved in regarding homeless transportation, so I'm really not sure how much I should really discuss in an open forum. But what I will say is that a lot of the problems of 2000 this Legislature is very aware of, there was a sky rocketing number of people homeless and we did put people in motels in Southampton. Responding to the crisis ••

CHAIRMAN TONNA:

And you weren't the Commissioner at that time either, I mean, you know.

COMMISSIONER DEMARZO:

Well, regardless of whether I was the Commissioner ••

CHAIRMAN TONNA:

I'm just saying.

COMMISSIONER DEMARZO:

•• responding to the crisis and providing housing was a primary concern. We now, as you know, have really addressed the problem of motels for families and have a very good shelter system with a lot more stability, with the ability to plan and to develop a transportation system, as you discussed, which is seamless. So yes indeed, the significant spike and what became a very short crisis did not leave the department in a position to meet some of those challenges and over the last four years we have a system which I believe really better meets the needs of families.

CHAIRMAN TONNA:

Right. But the testimony was about recent, it wasn't about the year 2000, it was about the transportation of a school child from kindergarten to first grade which is in the last two years, that there's missed school days and that there's •• that a caseworker didn't address; it wasn't about the year 2000 when the child was four years old, it was about the child in the last two years.

COMMISSIONER DEMARZO:

Then we can look at that. Because it's my understanding that what we're really doing •• I mean, there are some short-term and when we had the respite site and we didn't have shelters to put people in, we had long lags.

CHAIRMAN TONNA:

Right.

COMMISSIONER DEMARZO:

Now we're really trying to line them up before we actually move people from a shelter to another shelter.

CHAIRMAN TONNA:

Right. And Janet, are we tracking school days?

COMMISSIONER DEMARZO:

No.

CHAIRMAN TONNA:

Okay. Do you feel that it would help the department if the Legislature •• well, let me put it this way. The Legislature is responsible for making policy and obviously the Executive Branch has to administer that policy. Would it be better for us to do it by legislation and then maybe try to help provide some funding, or is it better, is there an alternative to say, "Hey, we might be able to do this internally without you having to create a piece of legislation"?

COMMISSIONER DEMARZO:

I really think that we need to go back to my original statement, that we as a County are in Federal Court right now on the issue of our responsibility regarding transportation for the homeless and have been working with the County Attorney's Office and the other side. Thirteen school districts, including the South Huntington School District ••

CHAIRMAN TONNA:

Which has a horrendous rate.

COMMISSIONER DEMARZO:

•• are involved in this litigation, so I really don't think •• I'm not Counsel, I'm not an attorney, I don't think that legislation at this time is the appropriate response. I think that •• I'm not even quite sure how much more the Federal litigation should be discussed in open forum, you know, especially ••

CHAIRMAN TONNA:

It's not being discussed; I mean, we're not discussing Federal litigation. And from my standpoint, I'm not going to wait because of a lawsuit to see that we're tracking individual human beings that when they miss a day, I mean, this might be the time to do it because school is going to be out and maybe we can work this summer on a system so that by September we can get some good indiciiis and some good information about children missing school. I mean, everything that I've read says that, you know, that education is a clear, clear indices when determining poverty and when determining, you know, almost every other social ill if they don't have an opportunity for education, an opportunity for better jobs, you know, all

of those things. And if they're missing significant school, I mean, all I can say is I have right now two second graders, a first grader and I know when they miss a day of class it's a catastrophe, so I can imagine when they miss a week or two or three and not the support system that they would have, you know, in my home. So we need to talk about that, we need to figure that one out.

COMMISSIONER DEMARZO:

Can I ask for clarification? Are you talking about missed school days because of transportation or missed school days because the child is not sent to school?

CHAIRMAN TONNA:

Either way.

COMMISSIONER DEMARZO:

By the parent.

CHAIRMAN TONNA:

Either way, and maybe those are two •• I mean, I think we should be tracking, when people find themselves having to move or be put in temporary housing or having to be put into shelters and there's a disruption, you know, in the place that they're sheltered, how does that translate into missed school days for children? And I think that's an important indicity in being able to, you know, understand maybe this is part of the problems that we're having. If we're not tracking it •• if we can't measure something we can't manage it.

COMMISSIONER DEMARZO:

With all due ••

CHAIRMAN TONNA:

That's a simple principal; we've got to measure things to be able to manage them. And if we find that kids are not missing that much school then, you know, we'll work on other problems, but if we find that kids are missing a lot of school and being left back and everything else, that has to be part of then the whole total package when dealing with homelessness.

COMMISSIONER DEMARZO:

I agree that education is very important, that we need to track it. And I think the transportation end of things, as you'll see, has been well addressed by the department and the tracking of all absences for students is a very large task. I mean, the real underlying issue which we hit on each and every time is the issue of homelessness and the lack of affordable housing and affordable rentals and the inability of communities to accept these people. I read a recent article where they're now considered our modern day leppers.

CHAIRMAN TONNA:

Right.

COMMISSIONER DEMARZO:

So as a department, I am really frustrated with my ability to provide siting for these people close to the school district of origin so that we don't have disruption. So just from the department perspective, we're very sensitive to the people's needs and you have to understand some of the obstacles that we face, and with your support maybe we can do more community sightings and we could keep people closer to their districts and keep more affordable rentals available for the population so they could live close to where their children go to school.

CHAIRMAN TONNA:

But we don't know if there's a problem or not if we're not tracking it. And so we don't know the extent of the problem if we're not tracking it, and tracking it seems to me to be a small administrative burden in comparison to the good which is getting kids educated and making sure that they might be homeless but they're still going to school.

COMMISSIONER DEMARZO:

It will be a significant workload on the department which will detract us from other services.

CHAIRMAN TONNA:

We ••

COMMISSIONER DEMARZO:

Because if you're asking that I track every child, you need to understand that we have 1,800 children that are homeless now and that 1,800 doesn't stay the same month to month.

CHAIRMAN TONNA:

Right.

COMMISSIONER DEMARZO:

But we understand that that's, you know, something you're interested in, just understand that it's a significant workload, without resources or staffing to do it, they will have to be diverted from other activities.

CHAIRMAN TONNA:

Or you've got to get more funding so that you can do that, right?

COMMISSIONER DEMARZO:

Yes.

CHAIRMAN TONNA:

And that's a Legislative policy; I mean, we shouldn't create policy without the proper funding for it. So that's something that we have to consider and look at.

COMMISSIONER DEMARZO:

Thank you.

LEG. VILORIA • FISHER:

Mr. Chair?

CHAIRMAN TONNA:

Okay. Yes, Legislator Fisher.

LEG. VILORIA • FISHER:

In tracking, actually, it's the schools that keep the attendance records. How much interfacing is there between the school district where •• I know that there are confidentiality problems, etcetera, but could this be addressed through some kind of communication between the school district and the caseworker, the school district informing Social Services if a child who has moved into a district or out of a district because of a homeless situation, if the Department of Social Services could be informed once that child passes three consecutive days of absence or four consecutive days of absence? And I'm not certain of what the legality is in confidentiality issues.

COMMISSIONER DEMARZO:

Yes, I'm not confident either. And when they move •• and part of the problem is, you know, when they move from district to district. I will talk •• we have an education coordinator in our Housing Unit, I will talk to •• Gail Freeman is the individual and speak to her relative to what the level of communication is. Because under the State law, each school district must have a homeless liaison with the department, so I will find out what level of communication we have relative to tracking. The problem is when they move district to district, you know, keeping that overall data base.

LEG. VILORIA • FISHER:

Uh•huh. But ••

COMMISSIONER DEMARZO:

But we can look at it as a department to see if the issue of tracking is a manageable one and what roll the school districts can play.

LEG. VILORIA • FISHER:

Legislator Tonna, that would be a way of doing it without adding another level. We already have a homeless liaison person at the school, if we already have someone in our ••

CHAIRMAN TONNA:

Yeah, they should be able to track it.

LEG. VILORIA • FISHER:

Yes. If we could just connect the dots and make sure that it's a seamless •• that the child somehow is followed from one place to another.

CHAIRMAN TONNA:

Right.

LEG. VILORIA • FISHER:

And I assume the caseworker is the person who is this person who provides that seamless connection.

COMMISSIONER DEMARZO:

I'm not sure there is a caseworker as you speak, like that there is •• from my understanding of the department, there's nobody in the department that moves with this family as they move around. I mean, we don't have case managers at our centers, you know, I had asked for them last year, so there are no case managers or case workers at the centers, there are only examiners; there aren't really case managers that get specifically assigned, there are case managers for shelters and so forth.

CHAIRMAN TONNA:

Right.

COMMISSIONER DEMARZO:

So the people move, there is really no person that tracks an individual as they move across the system. There aren't enough ••

LEG. VILORIA • FISHER:

That's part of the problem.

CHAIRMAN TONNA:

Maybe •• could I ask you, Commissioner, just if •• and we can set up a meeting, you know, an informal meeting or something. When we're dealing with vulnerable children, I would love to know what your wish list is. And you have articulated in the past and maybe I'm at fault for not pushing it through, I'd like to know your wish list. And you know, I mean, it's a situation, obviously you're under the aegis of the County Executive and everything else, but somehow I'd like to be able to know how can we •• if we just target vulnerable children, and obviously it starts with homeless children, it starts with children who have multiple needs. And maybe this Legislature could look at that and say, "Hey, can we fund that?" Can we, you know, corporately get together and say that this •• even though we might be adding a few full•time equivalents or whatever else, that actually the extra three or four cents that we're spending, you know, in a calendar year the taxpayers would spend to fund a few positions at least for vulnerable children? Because we know, we know how expensive it is later, we're dealing with the prison, right? We know how expensive it is with people who don't have services, with people who, you know, grow up without an education. So I would say maybe •• you know, this isn't a

Democratic or a Republican issue, this is a human dignity issue, this is an issue of basic human rights, and so maybe we could look at that together. And those who are charged with working with the budget and Omnibus Committee or however it's going to take place this year, maybe we could have some type of informal document in hand and say, you know, we're going to all •• or even this committee, that we'll make a commitment to saying •• we have a large committee here, that we'll make a commitment to making sure that this becomes part of the policy of the County for vulnerable children. Okay, thank you.

I have a few other questions for you, just as loaded. One, I read a recent article that we are now auctioning off homes, the County, I guess the foreclosures that people are living in. And so, you know, I'm sure, you know •• the question that I have is that will we find some of these now •• these people will then turn to DSS, right; am I mistaken? All of a sudden they become part of the homeless population.

COMMISSIONER DEMARZO:

I think that, you know, we have found that a number of times people have families or other resources and sometimes, you know, they have the ability to rent a place; I think there's a variety of situations.

CHAIRMAN TONNA:

Right.

COMMISSIONER DEMARZO:

For those that are at risk we will send APS, Adult Protective Services, to meet with them. We have limited housing resources but sometimes families are very resourceful and find them on their own. Those that don't will •• I mean, we have a responsibility for those that don't have housing to ensure emergency housing services. There is a possibility, I don't know the unique circumstances of each, I know that there is one case that may be •• you know, that we'll send somebody from Adult Protective Services. There are resources, there are SRO's for some of the singles, there are some beds still in some adult homes for people that may be appropriate for those types of placements; so it will be a mixture.

CHAIRMAN TONNA:

Were you consulted on this policy change, by the way, just from a standpoint? Was this something that they brought you into the loop and said, "We're going to do this, what do you

think, Commissioner?", or was this something where, "We're going to do this."

COMMISSIONER DEMARZO:

Well, I mean, there was one situation where they were concerned about the individuals in the house and we met with, you know, our Adult Protective Services based upon the condition of the house and did look at the situation. So yes, I was aware whenever there was a risk as they felt, in this particular situation we were involved to try to mitigate the problem.

CHAIRMAN TONNA:

I understand that if a family does fall into the situation where they can't get the housing, you know, live with a relative, a friend or whatever else and that they knock on DSS' door step, that for a family of four it's going to cost us about \$5,383 per month and for a single it's about \$3,000 per month?

COMMISSIONER DEMARZO:

That is our 2003 actuals for an average family and an average individual.

CHAIRMAN TONNA:

So we might be saving money in one area in an auction and then costing the County in another area and the disruption of removing their housing.

COMMISSIONER DEMARZO:

I think this is a much larger policy issue than, you know, the issue of homelessness. Homelessness is expensive and, you know, but the issue of whether someone stays in a home where they're not providing rent where the County has title, I mean, that's a bigger issue than social services.

CHAIRMAN TONNA:

It's also a human issue and it comes back to your department, unfortunately, some of the stuff, whatever they decide on whatever floor it is over there.

Okay. The last thing is, and just to raise the question because I think some •• there was an audit of a program that the Comptroller Sawicki's Office provided and I just thought •• I think if I'm not mistaken, I think •• did my office ask for the Comptroller to be present or for

representatives of his office to talk about the audit? No? Okay, well, I think there's probably some type of a requirement or something where just to respond to maybe this audit and give us a little information and maybe we'll talk to the Comptroller's Office.

COMMISSIONER DEMARZO:

I can give you a little bit of information.

CHAIRMAN TONNA:

Is everybody aware of what I'm talking about? No? Maybe you can give some background also.

COMMISSIONER DEMARZO:

There is some •• okay. We run •• we oversee a congregate shelter structure wherein we have a number of providers that run shelters for us. There was a recent •• well, there was a recent release of an audit of a shelter provider called LOVE'M •• LOVE'M Shelter; there's two organizations: LOVE'M Shelter and LOVE'M, Inc.

CHAIRMAN TONNA:

As long as it's not Love Them and Leave Them.

COMMISSIONER DEMARZO:

There was •• based upon, I think it was prior to the year 2000, they looked back from 2000 back and they have a disallowance of about \$613,000 in expenses. It's a few categories, one is in the area of rent, they've disallowed the rent. They feel that the finding is that LOVE'M Inc., and LOVE'M Shelter, LOVE'M Inc. Owns the property and rents them to LOVE'M Shelter. I'm going to ask David Mohr, if you don't mind, to come up so he can like nudge me when I get it wrong.

CHAIRMAN TONNA:

Come on up, David. I hear you're an uncle.

MR. MOHR:

Great•uncle.

CHAIRMAN TONNA:

Great•uncle; oh, right, great•uncle. You don't look like a great•uncle.

MR. MOHR:

I don't feel like a great•uncle.

CHAIRMAN TONNA:

But I'm sure you're a great uncle. All right, thank you.

COMMISSIONER DEMARZO:

David Mohr is in the Finance Unit and he oversees the review of this shelter annual financial reports, I think it would be better if he gave you the overview and gave you some of the high limits of what we've done and what the audit found.

LEG. MONTANO:

Who did the audit, the Comptroller's Office?

MR. MOHR:

No, I'm with the Department of Social Services.

LEG. MONTANO:

No, I'm sorry; I asked who conducted the audit.

MR. MOHR:

The Department of Audit and Control.

LEG. MONTANO:

Thank you.

MR. MOHR:

The audit was of the year 2000. The disallowance of the rent that the Commissioner was speaking to was because of a less than arm's length transaction that the Comptroller's Office determined existed between LOVE'M Inc., and LOVE'M Sheltering Inc. The other major disallowance was pension costs, they had funded a pension plan but they actually didn't have a pension plan; they charged the County for the pension plan, they didn't have one. The bulk of the others were of some minor costs in terms of, as the article said, large screen TV's and other expenditures that they couldn't justify.

With respect to what the department has done with the results of the audit, we have just completed a review of 2002 in which we disallowed a \$107,000 worth of expenditures and we just sent them a letter indicating that an additional \$340,000 worth of expenditures are going to be disallowed based on the results of the audit finding. We applied the same less than arm's length transaction determination to the 2002 review. We've also notified the shelter that we're reducing the rate, their per diem rate by \$5 as a result of a reduction of 340,000 in rent for the 2004 budget. We're still awaiting 2003's fiscal information and as soon as that comes in, obviously the same will be applied to that.

CHAIRMAN TONNA:

The audit that was conducted by the Audit and Control is really a financial audit, though, right? From the standpoint of quality, I understand that, you know, that there is a good level of service that is being provided. I mean, you know, I'm really trying to compartmentalize the two issues. Obviously they shouldn't be funding pension plans and things, we caught them, they'll have to pay. I don't know if there's any criminal issue or something like that, we'll let somebody else decide that. But to get a whole picture, from what I understand from a programmatic audit, LOVE'M and whatever is doing a halfway decent job that way.

COMMISSIONER DEMARZO:

You're correct. The department feels that, you know, on the financial end there are some issues that the Comptroller has addressed that need to be corrected by the agency. But overall, the agency has provided good homeless sheltering and supportive services to our clients and, you know, we believe that they are one of our better providers.

CHAIRMAN TONNA:

From a programmatic standpoint.

COMMISSIONER DEMARZO:

From a programmatic standpoint but ••

LEG. VILORIA • FISHER:

Mr. Chair, I have also visited LOVE'M Shelter and I certainly agree with the Commissioner there.

CHAIRMAN TONNA:

With those large screen TV's I guess, you know, they could have gotten them from the Suozzi

government; isn't he giving them out?

LEG. VILORIA • FISHER:

I don't know if I was there when they had the large screen TV's.

CHAIRMAN TONNA:

Those are plasma TV's.

LEG. VILORIA • FISHER:

I don't know if I saw the large screen TV's, but I did see some good, caring social workers there and basically they're running a good program.

CHAIRMAN TONNA:

Sure.

COMMISSIONER DEMARZO:

In light of the missing big screen TV's, Mr. Mohr has established a Fixed Assets Inventory System that we will be working with the shelters to institute so that large purchases will be tracked and, you know, we will know where they are.

CHAIRMAN TONNA:

That's great. Thank you. Legislator Montano.

LEG. MONTANO:

Just so I'm clear. I'm not familiar with the organization and I didn't read the audit, but with respect to the disallowance of the rent because there was not an arm's length agreement between the two corporations which I gather are two not•for•profit corporations; does that also imply that the market value for the rent was •• what they were paying was higher than market value or simply that it was not an arm's length transaction?

COMMISSIONER DEMARZO:

You can answer that one. I think I know the answer but you can try.

LEG. MONTANO:

You know what I'm getting at, right?

COMMISSIONER DEMARZO:

Yes.

MR. MOHR:

Yes. No, there was no determination as to whether it was fair market value or not. Although we do have appraisals in the department that indicate that the rent that was being charged from LOVE'M to LOVE'M Sheltering was, in fact, less than fair market value.

LEG. MONTANO:

Less than fair market value or month?

MR. MOHR:

Less than fair market value, less than.

LEG. MONTANO:

And I apologize, I really didn't get the issue with respect to the disallowance on the pension costs; could you just repeat what you said earlier?

MR. MOHR:

Sure. They charged the County for a pension cost.

LEG. MONTANO:

Okay.

MR. MOHR:

We paid for a pension plan ••

LEG. MONTANO:

And we didn't get one.

MR. MOHR:

•• but there was no pension plan funded.

LEG. MONTANO:

Okay. Thank you.

CHAIRMAN TONNA:

That's not a good thing, right? I mean, you know, just in general.

LEG. MONTANO:

Not a good thing. Legislator Vilorio•Fisher told me that and I didn't get it. Thank you.

CHAIRMAN TONNA:

Well, you know, I'm sure the employees wanted to know that there's been a pension fund going and their names aren't on it. Anyway ••

LEG. MONTANO:

Another question.

CHAIRMAN TONNA:

Sure, another question.

LEG. MONTANO:

All right, if they charged the County for the pension plan and they received the money, where did the money go?

CHAIRMAN TONNA:

We'll leave that••

LEG. MONTANO:

Well, was it ••

MR. MOHR:

I believe that is the question that the Comptroller has.

LEG. MONTANO:

Oh, okay, that is the question.

CHAIRMAN TONNA:

Yeah, and I'm sure not just the Comptroller. The District Attorney is very busy, though, right now, I hear there's a line all the way to Brookhaven; and Huntington, you know, it just goes both ways. Anyway, okay.

LEG. LOSQUADRO:

Be fair and equitable.

CHAIRMAN TONNA:

Huntington, too, that's what I hear.

All right, is that •• anything else? Okay, I hate to put you on the hot seat it, you know, but it comes with the territory, right?

COMMISSIONER DEMARZO:

I understand.

CHAIRMAN TONNA:

All right, thank you very much, Commissioner. Thank you, David. And are you speaking to your sister? I don't know if she's back yet or whatever else; if you speak to her, just tell her congratulations and your brother•in•law who's actually a millstone around your neck, your whole family's neck, I know Judge Martin.

MR. MOHR:

I will relay the message.

CHAIRMAN TONNA:

All right, thank you.

Okay, Dr. Harper, you want to come up? You have any words of wisdom, anything about our diets that we should be aware of or something, good prevention, vegetable of the day? By the way, just as an aside; what is your favorite vegetable?

COMMISSIONER HARPER:

My favorite vegetable is ••

LEG. VILORIA • FISHER:

Broccoli.

COMMISSIONER HARPER:

Is not broccoli.

CHAIRMAN TONNA:

You and President Bush.

COMMISSIONER HARPER:

No, I don't like broccoli. My favorite •• excuse me?

LEG. NOWICK:

We don't even let you answer the question.

CHAIRMAN TONNA:

Come on, what's his favorite, I want to know.

COMMISSIONER HARPER:

Probably asparagus.

CHAIRMAN TONNA:

Asparagus? I'm an asparagus man myself, I want you •• I knew we had something in common. Anyway, all right, thank you. And it's healthy, right?

COMMISSIONER HARPER:

Yes, it is.

CHAIRMAN TONNA:

Okay. So we're going to ask you for a tip, a health tip every time you come up here.

COMMISSIONER HARPER:

Sounds good, okay.

CHAIRMAN TONNA:

You're just going to have to give us a little health tip, all right?

COMMISSIONER HARPER:

I will certainly be prepared.

CHAIRMAN TONNA:

You know, maybe we can even get some media to cover it and they'll put on Dr. Harper's health tip of the week or something like that, or the month. You know, that has legs. Anyway, okay, so what is going on in the Department of Health?

COMMISSIONER HARPER:

Well, I guess for the two•and•a•half weeks that I have been there, I'm really just •• it's my opportunity to sort of meet with all of the staff and get a sense of what some of the urgencies and some of the problems are.

I guess I've determined that there will probably be some need to really look closely at Patient Care Services, the community health centers, which is certainly my interest, as well as the environmental issues that are overwhelming with vector control, and I think we will be discussing that a little bit this morning. So that's really where my focus will be for the next few months.

CHAIRMAN TONNA:

Okay.

LEG. VILORIA•FISHER:

May I ask a question?

CHAIRMAN TONNA:

Sure, Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

Good morning, Dr. Harper.

COMMISSIONER HARPER:

Good morning.

LEG. VILORIA • FISHER:

My favorite is broccoli.

COMMISSIONER HARPER:

Okay.

LEG. VILORIA • FISHER:

But I like all vegetables. Anyway, I've been speaking with Dr. Hector Sapelveda who is at Stony Brook University, he does health literacy?

COMMISSIONER HARPER:

Yes, I know him.

LEG. VILORIA • FISHER:

And I have also spoken with a couple of Catholic Churches, including Infant Jesus in Port Jefferson and Dr. Sepulveda will be coming to do some health literacy. Just as you came up I thought, you know, I'm working with someone outside of our health system, is there someone in our own Health Department that I should be speaking with to correlate this with or should I just work with Dr. Sepulveda because he has a program in place?

COMMISSIONER HARPER:

Well, I've already met with Dr. Sepulveda, so certainly you can feel free to work with him. I would have to look and see who would be the appropriate person within our department to collaborate with that project. I haven't really pursued that as of yet because I know Dr. Sepulveda ••

LEG. VILORIA • FISHER:

Okay. I just wanted to let you know that I am moving forward with that and if there's someone that I should be contacting in the Health Department as we progress, just let me know.

COMMISSIONER HARPER:

I certainly will do that.

LEG. VILORIA • FISHER:

Thank you.

CHAIRMAN TONNA:

Okay, thank you. Any other questions for Dr. Harper?

LEG. LOSQUADRO:

Paul?

CHAIRMAN TONNA:

Yes, Legislator Losquadro.

LEG. LOSQUADRO:

I just wanted to go on the record as thanking Dr. Harper for inviting me to the teleconference with the State regarding this e-mail on the status of the cancer cluster investigation. It really afforded me an opportunity to bring up a lot of concerns that I had to members of the State Health Department that are conducting this survey. And while they're not quite done yet, I think it was a good opportunity to help point them in the right direction and bring up some local concerns and everyone from Dr. Harper's department was very willing to work with me and with the State and they have been doing a great job with this. So I just wanted to say thank you for allowing me to be there in attendance, it was a good opportunity.

COMMISSIONER HARPER:

Thank you for attending, we were pleased to have the Legislator involved.

LEG. LOSQUADRO:

My pleasure.

CHAIRMAN TONNA:

Thank you. Okay, I think there might be some questions about certain pieces of legislation, so

we're going to go right to the voting legislation. I ask all Legislators ••

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TABLED RESOLUTIONS

1337•04 • Directing the Commissioner of Health to fill a vacant position in the Division of Waste Water Management (Binder). I'll make a motion to approve, as much as it really kills me to make a motion to approve for a Binder piece of legislation.

LEG. VILORIA•FISHER:

On the motion.

LEG. MONTANO:

Yes, on the motion.

CHAIRMAN TONNA:

Yeah, just on •• my understanding, if I can be corrected, my understanding is that now we're asking only for one position, we're down to one, right?

COMMISSIONER HARPER:

That's correct.

CHAIRMAN TONNA:

Because all the other positions have been filled.

COMMISSIONER HARPER:

Have been filled. Well, we're in the process, I guess three of the •• one has been hired already, three have received their orientation this week and will be starting on Monday.

CHAIRMAN TONNA:

Do you have intention of hiring the last ••

COMMISSIONER HARPER:

Yes, we would like to.

CHAIRMAN TONNA:

Yes? Then we don't need the legislation.

LEG. VILORIA • FISHER:

Exactly.

CHAIRMAN TONNA:

Okay. I needed just a scintilla of a reason why not to vote for this, so that's great.

LEG. VILORIA • FISHER:

I'll make a motion to table subject to call.

LEG. FOLEY:

Second.

LEG. MONTANO:

I have a question on this.

CHAIRMAN TONNA:

If the good doctor says that he's in the process of doing it, I trust him. Until we find that it's otherwise, I'm going with the good doctor.

LEG. SCHNEIDERMAN:

It doesn't hurt you to have the resolution passed.

CHAIRMAN TONNA:

Either way, so why pass it; why have unnecessary legislation? There's a motion to table subject to call by Legislator Viloría•Fisher, seconded by myself. All in favor? Opposed?

LEG. LOSQUADRO:

Opposed.

LEG. NOWICK:

Opposed.

LEG. SCHNEIDERMAN:

Opposed.

LEG. MONTANO:

I have a question.

CHAIRMAN TONNA:

You want a question? Let's just •• okay. So it goes five •• wait, one, two, three, four, five to three; okay? Motion passes, ***Tabled Subject to Call (VOTE: 5•3•0•0 Opposed: Legislators Losquadro, Nowick Schneiderman.)***

Okay, ***1512•04 • Creating Suffolk County Executive/Legislative Cancer Resource Commission (Foley).***

LEG. FOLEY:

Mr. Chairman, I'm going to make a motion to table.

CHAIRMAN TONNA:

Second by myself. All in favor? Opposed? ***Tabled (VOTE: 8•0•0•0).***

LEG. FOLEY:

Thank you.

CHAIRMAN TONNA:

1552•04 • Amending the 2004 Operating Budget to transfer funds from the Suffolk County Water Protectin Fund (477) Reserve Fund to the Suffolk County Department of Health Services, Division of Environmental Quality for "Open Marsh Water Management to improve wetlands, estuarine water quality and reduce mosquito breeding". (Presiding Officer at the Request of the County Executive). I think this was •
• I don't know why it was tabled, I wasn't at the last meeting. Anyway ••

LEG. VILORIA•FISHER:

Actually, I had asked that it be tabled because I had questions regarding the large \$4.2 million scoping project that we had approved last year and I wondered why this was not a part of that very large project.

CHAIRMAN TONNA:

Right.

LEG. VILORIA • FISHER:

And I believe Dr. Harper may have •• and Walter Dawydiak seems to be up here.

COMMISSIONER HARPER:

Yes, I brought ••

LEG. VILORIA • FISHER:

Did I say the wrong last name for you, Walter?

MR. DAWYDIAK:

No, that was exactly correct.

LEG. VILORIA • FISHER:

Okay. It sounded wrong when I said it for some reason.

CHAIRMAN TONNA:

Not only was it correct, it was exactly correct.

LEG. VILORIA • FISHER:

Whoa.

CHAIRMAN TONNA:

There you go, that's a double correct. Okay.

COMMISSIONER HARPER:

Some handouts are going out and he's going to describe the program.

MR. DAWYDIAK:

Thank you, Dr. Harper. Thank you, Mr. Chairman, Member of the Committee, for your time and patience and your consideration.

My name again is Walter Dawydiak, I'm the Acting Chief Engineer for the Division of Environmental Quality. I'm here on behalf of Vito Minei who sends his regards and his regrets for being unable to be here today. I'm joined on my right by Dr. Steven Goodbred, a Professor at Stony Brook. We're very fortunate to have him as part of our wetlands team, he's an international expert on wetlands along with other experts we've assembled from Connecticut, the Fish and Wildlife Service, regional northeastern experts and others to do open marsh water management as well as other habitat restoration activities. There are two handouts going around. We pretty much came today ready to answer any questions, but first I wanted to go over the handouts.

LEG. VILORIA • FISHER:

Can you wait a minute, Walter, I don't have them yet. We have an older guy handing them out so it's taking a while.

MR. COHEN:

Thank you very much.

MR. DAWYDIAK:

Sure, I'm going to step on the biologist's toes and ••

CHAIRMAN TONNA:

Ronnie, I have to check, you know, see if they're putting into your pension plan.

MR. DAWYDIAK:

I'm going to give you an engineer's interpretation of what open marsh water management is. And again, we have Dr. Goodbred to explain the actual biology and geochemistry and all the other elements of it to the extent that you would like to know about that information.

Basically, Suffolk County has approximately 11,000 acres of title wetlands, more than 90% of which have been ditched going back to the 1930's and the WPA efforts; the idea was to get water off the marsh to prevent mosquito breeding. That was very successful, what was unsuccessful was maintaining the ecology and biodiversity of a marsh. We have monocultures of high marsh spartina patens, we don't have the pans, puddles, ponds, and biodiversity that

we once had.

LEG. SCHNEIDERMAN:

That's also •• that's fragmitie, what you just described?

MR. DAWYDIAK:

Fragmities has also been invading the marshes as well and that's one issue with the Wertheim Refuge that we can talk about, certainly. There are multiple issues of ecological harm that have occurred.

Basically, this project reverse engineers the marsh to eliminate mosquito breeding areas, create ponds and improve circulation. What we're doing is reverse engineering, eight decades or so of neglect to these marshes, making them more natural. The ultimate goal is to reduce or eliminate pesticide usage while improving biodiversity of the marsh. It's a win/win situation, it's being done all over the north east and Midatlantic. It's not being done here on Long Island due to Department of Environmental Conversation permitting issues and monitoring requirements.

It's only been by virtue of this long•term plan that we have reinvigorated efforts to do open marsh water management. The first handout that you have, hopefully you all have it by now, is a Fish and Wildlife Service letter. Patricia Martinkovic who runs the refuges on Long Island wanted to be here today, she had an agency commitment she couldn't get out of so she asked us to provide this letter to you. There are a few key elements of this letter that I would like to highlight with your permission.

The first is that this project is on Federal property and it's consistent with a Federal mandate of habitat restoration. Really this has been a cooperative effort and without Fish and Wildlife Service leadership, I don't think we would have gotten this off of the ground. They have a broader, larger Federal mandate, the DEC State Department of Environment Conservation has acknowledged this. They have pledged to work with us to make this open marsh water management happen this coming winter which is a major milestone and a success.

The other issue that the Fish and Wildlife Service wanted to highlight is that they hope that this project will be a model that can be applied to marshes County wide. Again, at the end of this

long-term plan we hope to have a restoration goal of so many thousands of acres over so many years at a given cost; we're not there yet but by December of 2005 when our plan is finished, we will be.

The final element they wanted to emphasize is their match. By the end of this process they will have spent easily many months or man years on this project and that's the Fish and Wildlife letter.

The other handout is a program budget handout, I understand there were some questions last time about what was included and what was not included in the original \$3.6 million allocation for this Vector Control Plan. This handout emphasizes the breakdown of the budget, all along we said this would be about a four and a half million dollar project when supplemental, ecological investigations were thrown into the mix. We got going on the long-term plan which itself was very ambitious. We've had a budget in task 12 which was for demonstration projects, one of which could have been open marsh water management. Indeed we've expended about \$100,000 out of about \$150,000 in that \$3.6 million budget on open marsh water management. We have other early action projects we need to do, we need to look at alternative mosquito control measures, garlic oil, barriers, traps, storm water, catch basins with respect to mosquito breeding and a number of other projects. We're pretty much out of the money allocation in task 12 to begin OMWM, Open Marsh Water Management.

Now, the State Department of Environmental Conservation has set very rigorous monitoring requirements for Open Marsh Water Management. Instead of one year they require two years of preimplementation monitoring; we have already done '03, we need to do '04, we need funding to do that and time is of the essence. Legislators?

LEG. VILORIA FISHER:

Can we just go back to this just for a second?

MR. DAWYDIAK:

Sure.

LEG. VILORIA FISHER:

Because I want to go back to my original question. So what you're saying is that this is not

supplemental to what we had voted on last year but this is a component; is that what you're saying, that this \$600,000 is one of the components, is that what you're saying?

MR. DAWYDIAK:

It's actually in addition to the \$3.6 million.

LEG. VILORIA • FISHER:

It is in addition to.

MR. DAWYDIAK:

Yeah. The guidance that we got from what was then ELAP, the Environmental Committee, was stick to the original long-term plan and legal requirements for the State Environmental Quality Review Act to do ••

LEG. VILORIA • FISHER:

Which was the 3.6 million.

MR. DAWYDIAK:

That was the 3.6 million.

LEG. VILORIA • FISHER:

Okay.

MR. DAWYDIAK:

During public scoping, a number of additional issues came up, they wanted us to do a whole bunch of other studies which we're not legally required by SEQRA ••

LEG. VILORIA • FISHER:

That's what I meant, it was part of that 4.2 million that •• not that we approved but that we discussed last year.

MR. DAWYDIAK:

Right, four and a half million, correct.

LEG. VILORIA • FISHER:

Okay, that's what I meant. And we didn't approve that, we had approved the 3.6 but we had discussed the 4.2 in the original.

MR. DAWYDIAK:

Four point six it was approximately.

LEG. VILORIA • FISHER:

Four point six, okay; well, a lot of money.

MR. DAWYDIAK:

It was a lot of money.

LEG. VILORIA • FISHER:

Okay. And so the 600 where it says Open Marsh Water Management, that \$600,000 is what we're discussing right now.

MR. DAWYDIAK:

That's correct.

LEG. VILORIA • FISHER:

Okay, I just wanted to make sure I was looking at the right \$600,000 and understanding it before you went on. Thank you, Walter.

MR. DAWYDIAK:

You're welcome. I'm pretty much done with the introduction. If there are specific budget questions or, again, scientific questions for Dr. Goodbred, we'd be happy to answer them.

LEG. VILORIA • FISHER:

I have another question.

VICE • CHAIR NOWICK:

Legislator Losquadro, did you have a question?

LEG. LOSQUADRO:

Yeah, I just want to touch on something. Talking about the process of reverse engineering the marsh lands, this is in sort of stark contrast to what some have been advocating for natural reversion which can take as long or longer than it has taken since the ditching began. What techniques exactly are we talking about here in this reverse engineering process?

MR. DAWYDIAK:

It sounds like ••

LEG. LOSQUADRO:

I know you've touched on some of them, but I think this is more the direction we should be looking towards than just simply an abandonment in the natural reversion process.

MR. DAWYDIAK:

I have one preparatory comment I'd like to make before I hand it over to Dr. Goodbred for the scientific answer. Reversion of ditches to try to make them something natural is something akin to haphazard decay. You're not doing anything about the mosquito breeding, you might wind up with the increased need for chemical usage and management and you might not get what you want which is a functioning, more or less natural, preexisting type of marsh. And beyond that, in terms of Open Marsh Water Management techniques, I'd like to turn it over to Dr. Goodbred.

LEG. LOSQUADRO:

Thank you.

VICE•CHAIR NOWICK:

Legislator Vilorio•Fisher.

LEG. VILORIA•FISHER:

No, he was answering the question.

LEG. LOSQUADRO:

Please, continue.

DR. GOODBRED:

Just following up, I think Walter made a bunch of good comments on the reasoning for this. And in fact, just let me step back from my perspective, and it's taken me, my involvement over the past year, to really come on board with the project and now I am wholeheartedly on board with where it's going. Terms like reverse engineering, just things about taking the same approach in a different direction, that may not get you the right end product. But the goal I think of the OMWM and not just going to natural reversal of this or return to natural conditions is that these marshes serve as an interface between land in our estuaries like the Great South Bay. And the way that interface works is that you've got to have a strong connection and exchange of water nutrients, sediments across that interface, and that's what the ditches preclude; one, because they're not designed as an efficient transport mechanism, you don't see creeks or rivers in the shape of a natural •• of the ditches that they put in. So yeah, in terms of •• I think you suggested also that riverting back naturally is not necessarily ••

LEG. LOSQUADRO:

Right. Well, at the same time, obviously we want to return these marsh lands to their natural function, their natural filtering function, their natural function, their roll in the environment. But at the same time, being sensitive to the fact, and I've mentioned this before, that you know, much of the history of our society has been based on Vector Control. I mean, you know, I cited in the past the Panama Canal issue, that many nations were unsuccessful in their attempt to construct that Public Works project due to the death of many thousands of workers until we came in and were able to get the mosquito population under control. So it has allowed much of society to expand in the manner that it has.

So at the same time, we really need to work hand in hand to, you know, the vector control, you know, to obviously stop •• protect the public health while at the same time doing this reverse engineering to restore the natural function of these title wetlands. So it sounds to me like you're working in the right direction and I look forward to seeing the completion of this report.

DR. GOODBRED:

I think that captures the scope of this, is that it's a very broad issue.

LEG. LOSQUADRO:

A very complex issue, trying to meld the two together.

MR. DAWYDIAK:

If I could just one thing. We've done a lot of research up and down the east coast, other jurisdictions are not relying primarily on reverse •• I'm sorry, on reversion of ditches for managing their wetlands and mosquito control issues. In Delaware over 4,000 acres have been restored using open marsh water management, in Connecticut they're halfway to their 5,000 acre goal, New Jersey is county by county, some of them count by ditches or ponds versus acres but they're on the same order of magnitude. The point is that all these places are a decade or more ahead of us, but they've made substantial progress. We know that this is an extensive project, it's the first one, there's a very high burden of proof by the State for monitoring, we're meeting that and we're moving forward and we're expecting the subsequent open marsh water management will be substantially fine tuned and more cost effective over the long run.

LEG. SCHNEIDERMAN:

Can I get some clarification?

VICE•CHAIR NOWICK:

Excuse me.

LEG. SCHNEIDERMAN:

Oh, I'm sorry.

VICE•CHAIR NOWICK:

Legislator Vilorina•Fisher was next.

LEG. VILORIA•FISHER:

Thank you, Madam Chair. I recall, Walter, you're saying that simply doing nothing would not allow nature to take its course, it would be abandonment and we needed to be proactive and be active in restoring the marsh lands. And OMWM is an important part of this whole process. And it went •• we had many, many discussions regarding this project, as you recall, it was before us many months. And Dr. Harper, the first time you came before us I told you that this would be an issue that we would be discussing because it's so complex. The project involved •• I believe it was called a literature study first?

MR. DAWYDIAK:

Literature review, correct.

LEG. VILORIA • FISHER:

Literature review. And is part of that review the study of various areas throughout the United States that have already begun the marsh land restoration?

MR. DAWYDIAK:

That's essentially the basis of some of the numbers that I just provided to you. We contacted experts and agencies, not only are we looking at published information, there are actual interviews going on of people that do the OMWM operationally to get unpublished information and data. So that literature review should be available around the July/August time frame in draft form.

LEG. VILORIA • FISHER:

But you're already beginning to base the direction of the study on some of the preliminary information that that review has garnered.

MR. DAWYDIAK:

That's exactly correct.

LEG. VILORIA • FISHER:

Okay, thank you. And as I said, I will support this because OMWM was such a basic and integral part of this project.

MR. DAWYDIAK:

Thank you. If I might add ••

VICE • CHAIR NOWICK:

Are there any other questions? Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Just for clarification, the resolution before us today, it's an additional 600 or so thousand dollars, right?

MR. DAWYDIAK:

That's correct.

LEG. SCHNEIDERMAN:

That's what's in front of us. So the other money has been already appropriated; has most of that been spent at this point?

MR. DAWYDIAK:

No, the contract began last fall, it's essentially a two•and•a•half year contract with the main consultant and their experts are consultants, so

LEG. SCHNEIDERMAN:

Who is the main consultant here?

MR. DAWYDIAK:

It's a team led by Cashin Associates and Cameron Engineering. There are a number of medical and biological and ecological subconsultants,

Dr. Goodbred here is one of them from Stony Brook.

LEG. SCHNEIDERMAN:

Is that money purely for studying or does that involve actually doing some test areas?

MR. DAWYDIAK:

That money includes an awful lot of field work. There are 20 to 25 primary wetland study areas that will be evaluated for habitat restoration. So our goal at the end of this, a year and a half from now we'll be here telling you about those 20 to 25 study areas, which of those are appropriate for open marsh water management and how to do about doing that. In addition to that level of specificity on which we're basing •• based on our monitoring, we'll have a general guidebook for habitat restoration and open marsh water management County wide which will serve us over the coming decades.

LEG. SCHNEIDERMAN:

So just to be clear, for the four and a half million dollars it's basically to give us the data we need to know how to approach the marsh management system. And there will be •• to actually change these marshes, to eliminate the ditches, to reengineer them, to restore the habitats,

there's going to be additional money that will have to be made available from some source to actually implement these recommendations; is that correct?

MR. DAWYDIAK:

Over the long-term •• let me just clarify so that there's no confusion.

LEG. SCHNEIDERMAN:

In other words, this doesn't actually fix •• won't fix the problem, it will tell us how to fix it.

MR. DAWYDIAK:

No, no, no, the three and a half million dollars is essentially a long-term plan which is a planning study with some small demonstrations like mosquito traps and garlic oil demonstration. The extra 900,000, 940,000 on this handout?

LEG. SCHNEIDERMAN:

Uh•huh.

MR. DAWYDIAK:

Open marsh water management will actually be a demonstration. That \$600,000 will essentially implement open marsh water management at Wertheim and hopefully one other site with storm water management issues for open marsh water management; that will fix the problem at Wertheim and one other area.

LEG. SCHNEIDERMAN:

Right. But County wide, we have obviously an enormous number of marshes, particularly in my district out there in the south fork but also on the north fork and other areas throughout the County. And as we progress, and we're going to get these recommendations and I'm sure they'll be very helpful, I'm just wondering how we're going to implement them on a County wide basis; is this going to be \$100 million? What are we going to be looking at down the road • •

MR. DAWYDIAK:

No, no.

LEG. SCHNEIDERMAN:

•• and might that be a factor in consideration of how to approach this factor, what our •• what the limits of our funding capacity is.

MR. DAWYDIAK:

Cost effectiveness is ••

LEG. LOSQUADRO:

Legislator Schneiderman, if I may just offer just a thought. If we're not doing the old system anymore, I apologize, I would assume that it would free up some funding. If we're not •• I don't remember how much we're paying under the old system, but if we're not going to be doing the system of ditching and other things anymore, obviously that money will then be available to flip into this new program.

LEG. SCHNEIDERMAN:

Right. Well ••

LEG. LOSQUADRO:

It sounds like it may be more extensive.

LEG. SCHNEIDERMAN:

I've seen some of these open marsh land projects and they can be very expensive.

LEG. LOSQUADRO:

Oh, I'm sure.

LEG. SCHNEIDERMAN:

Particularly if you have to excavate out all the roots of all the, you know, fragmities, there's a lot of plantings that will take place. You know, my intuition is that there's going to be a tremendous difference between the old system, you know, the ditching which is, granted, a lousy system, but it's probably much cheaper but I guess we pay it in terms of the environment. But I just want to •• I'm not trying to put a spin on it, I just want to know what this may cost us after the study is done to be able to implement this study so we can be prepared for it and figure out how to budget for that. Walter, could you address that?

MR. DAWYDIAK:

Dr. Harper?

COMMISSIONER HARPER:

I was just going to say, I think it's a valid question, the question is ultimately how much is this going to cost in the long run. This is a demonstration project which is only for a specific area and it's not clear to me that we have a good handle on the overall number. But in essence, this is ultimately the way to go, this is one of the cutting edge programs that I described earlier in my interview that I think it would be important for Suffolk County in the long run, despite the cost, that it will ultimately be a benefit to the County from an environmental perspective.

LEG. SCHNEIDERMAN:

Right.

COMMISSIONER HARPER:

And that ultimately what we are hoping to do is to eliminate the need for all of the pesticides so that if we have an established ecological system, then that will take care of the mosquitos naturally. And it's ultimately really just a better way to go.

LEG. SCHNEIDERMAN:

Okay. Just for planning purposes, we should have ••

COMMISSIONER HARPER:

But I think we should provide you with those numbers.

LEG. SCHNEIDERMAN:

•• a sense of where we're going.

COMMISSIONER HARPER:

I agree with you.

MR. DAWYDIAK:

I could give you a sense of the order of magnitude based on what we learn from other

jurisdictions.

LEG. LOSQUADRO:

Please.

MR. DAWYDIAK:

Initial open marsh water managements, we have learned from Connecticut and other places, are very, very expensive because there's a lot of learning curve issues going on along with a permitting agencies and the agencies who are implementing it; in successive years it becomes much less expensive. Again, we spent about \$100,000 and we expended about two man years monitoring for the first year alone out of a three year monitoring effort. This is an extraordinary monitoring effort that really is just unprecedented for an individual wetland in Suffolk County. It's not unusual for an initial OMWM project, but this is not what we're going to do for future OMWM projects.

We've heard numbers like \$300 per acre to \$1,000 per acre for open marsh water management restoration. If you consider that we have about 10,000 acres or more of title wetlands in Suffolk County, if you assume that half of those might be high priority restoration at 300 to \$1,000 an acre, 5,000 acres at a thousand an acre using a high end estimate would be something on the order of five million, my quick math comes up with. Again, this is just to give you a sense of order of magnitude, we're not talking hundreds of millions of dollars here.

LEG. SCHNEIDERMAN:

Okay.

MR. DAWYDIAK:

The other thing we have working for us is that Public Works is very, very eager to get into a habitat restoration mode. A lot of the implementation can be done with equipment and staff that they currently have. As somebody said, rather than going out and doing active ditching, they can go in there and restore wetlands, so a lot of the work can be done in kind, a lot of the exorbitant monitoring expenses will not be required once we convince DEC that this can be locally implemented and that we have a sustainable, efficient, long•term monitoring plan going. So we envision that it will be very cost effective.

The last point is these projects •• Connecticut is largely self•sustaining by virtue of Federal and

State grants and private contributions, their open marsh water management. We're hoping that after this initial demonstration project we'll similarly qualify for these funds. We do have a State DEC application pending for a Bond Act Grant for this Wertheim project; if that is granted then this Quarter Percent money, to the extent that it's unused, will go back into the Quarter Percent pot and we won't need it. So a supplemental funding is typically •• after doing the groundwork of a study, you qualify for State and Federal funding and that's our intent as well.

LEG. SCHNEIDERMAN:

Thank you for that thorough answer, I feel much more comfortable now.

LEG. VILORIA • FISHER:

Just one more question, Walter, regarding the •• it's a short question.

CHAIRMAN TONNA:

And then after that we're going to ditch the questioning.

LEG. VILORIA • FISHER:

Part of our study is also looking at the long•term effect of larvicides and insecticides on our environment, isn't it?

MR. DAWYDIAK:

Yes.

LEG. VILORIA • FISHER:

Okay. And at what stage are we in that part of the study?

MR. DAWYDIAK:

We have conducted a tremendous amount of chemical monitoring last summer and we're going to repeat that. We're looking at what chemicals actually reach the air, what reach the water and this summer we'll be looking at what actually reaches the sediments. Coupled with that, we have Dr. Bruce Brownawell who is an international chemistry expert and he's worked a lot on lobster research in the Long Island Sound. He's developed techniques to go down to one part per trillion which is extraordinary low. Our lab goes down to point two parts per billion or 200 parts per trillion, 200 is a really low detection limit, he's going to one part per trillion; so if it's

there, if it's measurable. We will be measuring it, we're deploying muscles, we're doing caged fish studies to look indirectly at whether or not shrimp, fish and other organisms may be affected. This summer we will be doing biological monitoring to determine whether benthic invertebrates, whether water column animals are possibly taking this up or whether they're being effected by them, so that is going ahead full speed.

LEG. VILORIA • FISHER:

Okay, good. Thank you. See, it was a short question.

CHAIRMAN TONNA:

Okay, great. One part per trillion, huh? Wow.

LEG. VILORIA • FISHER:

I saw some of those machines over at Marine Sciences at Stony Brook, they go to one part per trillion, don't they?

MR. DAWYDIAK:

Yes.

CHAIRMAN TONNA:

Okay, great. On one part per trillion, we'll go right back to the agenda.

So I make a motion to approve 1552, seconded by Legislator Losquadro. All in favor? Opposed? ***Approved (VOTE: 8•0•0•0).***

Great, thank you. And I was very impressed with the science, I mean, just •• you know.

MR. DAWYDIAK:

Well, thank you.

CHAIRMAN TONNA:

It's really amazing that people are actually that smart and, you know, they're employed with the County, now that is kind of like an oxy•moron. Okay, anyway, thank you very much, gentlemen.

MR. DAWYDIAK:

Thank you.

COMMISSIONER HARPER:

Thank you.

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INTRODUCTORY RESOLUTIONS

CHAIRMAN TONNA:

1581•04 • Adopting Local Law No. 2004, a Local Law to strengthen screening requirements for day care providers (Viloria•Fisher). This has to be tabled, I understand, right?

MS. JULIUS:

Yes.

CHAIRMAN TONNA:

Okay. Legislator Viloria•Fisher makes a motion to table, I second it. All in favor? Opposed?
Tabled.

MS. JULIUS:

No, we'll just skip it.

CHAIRMAN TONNA:

Oh, we don't •• ***so we're not doing anything.***

LEG. VILORIA•FISHER:

We don't have to do anything.

CHAIRMAN TONNA:

It's tabled.

1586•04 • Accepting and appropriating 100% State aid from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services for the Single Point of Access (SPA) System (Presiding

Officer at the Request of the County Executive). Motion to approve by myself, seconded by Legislator Nowick. All in favor? Opposed? Can we put that on the consent calendar? I'll make a motion to put it on the consent calendar, same second.

All in favor? Opposed? **Approved and placed on the consent calendar (VOTE: 8•0•0•0).**

1587•04 • Reallocating 100% State aid funds from the New York State Office of Mental Hygiene Services within the Department of Health Services, Division of Community Mental Hygiene Services, from Children and Family Mental Health Services to Federation Employment Guidance Service, Pederson•Krag Center, Inc. And Federation of Organizations (Presiding Officer at the Request of the County Executive). Same motion, same second, same vote on both, to **approve and to put it on the consent calendar (VOTE: 8•0•0•0).**

1588•04 • Amending the Department of Health Services 2004 Adopted Budget to accept and appropriate 100% one•time supplemental Federal grant funds for the Ryan White Title III/HIV Early Intervention Program to the Department of Health Services, Division of Patient Care Services (Presiding Officer at the Request of the County Executive). Same motion, same second, same vote. **Approved and placed on the consent calendar (VOTE: 8•0•0•0).**

1637•04 • Adopting Local Law No. 2004, a Local Law to authorize the establishment of fees in the Department of Health Services, Division of Medical•Legal Investigations and Forensic Sciences for requests for cremation approvals and autopsy reports (Presiding Officer at the Request of the County Executive). I'll make a motion to approve.

MS. JULIUS:

Mr. Chairman?

LEG. VILORIA•FISHER:

Doesn't that need a public hearing?

CHAIRMAN TONNA:

A public hearing?

MS. JULIUS:

Yes, skip it for a public hearing.

CHAIRMAN TONNA:

Okay, *so we're skipping it.*

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SENSE RESOLUTIONS

Sense 53•2004 • Sense of the Legislature resolution in opposition to changes in welfare/health care policies in proposed 2004 New York State Budget (Viloria •Fisher).

LEG. VILORIA • FISHER:

Motion to approve.

CHAIRMAN TONNA:

Seconded by myself. All in favor? Opposed? ***Approved (VOTE: 8•0•0•0).***

All right. Elie, you even approved that, huh?

LEG. MYSTAL:

I'm not against it.

CHAIRMAN TONNA:

Okay, thank you very much.

Thank you, everybody, for your time and comments today. Commissioner, do you have anything else you want to add?

COMMISSIONER DEMARZO:

No.

CHAIRMAN TONNA:

No? Just talking with your buddy Mea? All right. Anyway, everybody else, have a good day.

And sir, if you don't mind, I'll spend a couple of seconds talking to you.

LEG. SCHNEIDERMAN:

Just a reminder, the Ad Hoc Affordable Housing Committee is meeting at 11:30 in this room.

(*The meeting was adjourned at 11:11 A.M.*)

***Legislator Paul Tonna, Chairman
Health & Human Services Committee***

_ _ • Denotes Spelled Phonetically